

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

JOSEPH LURENZ, individually and on behalf
of all others similarly situated,

Plaintiff,

v.

THE COCA-COLA COMPANY and THE
SIMPLY ORANGE JUICE COMPANY,

Defendants.

Case No. 7:22-cv-10941

**DEFENDANTS THE COCA-COLA COMPANY AND SIMPLY ORANGE JUICE
COMPANY'S NOTICE OF MOTION AND MOTION TO DISMISS**

PLEASE TAKE NOTICE that, upon the accompanying Memorandum of Law in Support of Defendants The Coca-Cola Company and Simply Orange Juice Company's (collectively, "Coca-Cola") Motion to Dismiss First Amended Class Action Complaint, Coca-Cola moves, before the Honorable Nelson S. Román, United States District Court Judge for the Southern District of New York, at the United States District Courthouse, Courthouse 218, 300 Quarropas Street, White Plains, NY 10601, for an order dismissing the First Amended Class Action Complaint ("FAC") of Plaintiff Joseph Lurenz (Dkt. 25) pursuant to Rules 12(b)(1) and 12(b)(6) of the Federal Rules of Civil Procedure, on the grounds that Plaintiff lacks Article III standing to assert his claims and the FAC fails to state a claim upon which relief can be granted.

DATED: August 14, 2023

By: /s/ Angela M. Spivey

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing was served on Plaintiff's counsel on August 14, 2023.

/s/ Angela Spivey